

## **REQUEST FOR QUALIFICATIONS (RFQ)**

**Exchange Transaction  
For the  
U.S. Department of Transportation  
Volpe National Transportation Systems Center  
Cambridge, MA**

**THIS IS NOT A REQUEST FOR PROPOSALS (RFP)**

### **SCHEDULE**

<b>Issue RFQ (Phase I)</b>	July 16, 2015
<b>Deadline for Questions on RFQ</b>	August 5, 2015 by 3:00 PM Local Time
<b>RFQ Response Deadline</b>	August 31, 2015 by 3:00 PM Local Time
<b>Issue RFP (Phase II)</b>	May 2016 (approximate)
<b>Award Exchange Transaction</b>	January 2017 (approximate)

### **WEBSITE**

Official posting: [www.fbo.gov](http://www.fbo.gov)

Issued by:  
U.S. General Services Administration (GSA)  
Public Buildings Service, Region 1 (New England)  
Thomas P. O'Neill Federal Building  
10 Causeway Street, Room 1100  
Boston, MA 02222

**NOTE:** This Exchange Transaction is not subject to the Federal Acquisition Regulation (FAR) and ultimately the selected entity (referred to in this RFQ as the Exchange Partner) should not plan to receive any appropriated funds from GSA. Furthermore, this RFQ is not to be construed or interpreted as a contract or a commitment of any kind, nor does it commit GSA to pay for any costs incurred by respondents in the submission of qualifications and proposals.

This RFQ represents Phase I of a two-phase solicitation process. Based on a review of qualifications in this phase of the solicitation process, GSA and DOT will select qualified Respondents who will be invited to participate in Phase II. In the second phase of the solicitation process, Respondents deemed qualified in Phase I will be asked to submit proposals including information related to the Exchange Consideration Services that would be provided in exchange for the property identified in this RFQ. Participation in both Phases I and II is a mandatory requirement in order to be ultimately considered as the Exchange Partner.

## I. INTRODUCTION

The U.S. General Services Administration (GSA) in consultation with the U.S. Department of Transportation (DOT), is seeking an Exchange Partner to develop, design, construct, and deliver a new federal building (New Facility) for DOT's John A. Volpe National Transportation Systems Center (Volpe Center). The Volpe Center is located on a federally owned, approximately 14-acre parcel at 55 Broadway, Cambridge, MA (the Property). The New Facility is to be constructed on a portion of the Property. In exchange, upon completion and acceptance of the New Facility and any value equalization required, the Exchange Partner will receive title to the remainder of the Property (the Exchange Transaction). **Throughout this document, the design and construction of the New Facility will be referred to as the "Exchange Consideration Services"; the property to be received by the Exchange Partner in exchange for these services will be referred to as the "Exchange Parcel". GSA and DOT are collectively referred to in this Request for Qualifications (RFQ) as the "Government".**

Continuing a legacy of outstanding public architecture that was initiated with the founding of the nation, GSA announces an opportunity for Design and Construction Excellence in Public Buildings through a Request for Qualifications for a development team to provide the New Facility. The GSA seeks to commission an Exchange Partner to design and construct a New Facility of outstanding quality and value.

The development of the New Facility will be designed to meet the requirements of the DOT's Program of Requirements (POR) (which will be provided as part of the Phase II solicitation). As required by law, the New Facility will be required to meet or exceed Federal Energy Goals, including standards mandated by the Energy Policy Act of 2005 (EPA 2005), the Energy Independence and Security Act of 2007 (EISA) and Executive Orders 13423 and 13653. It will also incorporate cost-effective and innovative "green" strategies, with a minimum requirement of a LEED® gold rating. The development of the New Facility must comply with PBS-P100 (Facilities Standards for the Public Buildings Service) and all referenced codes, standards and executive orders referenced therein, including U.S. Building Codes, Architectural Barriers Act Accessibility Standards (ABAAS), Department of Defense (UFC 4-010-01) and the Interagency Security Committee's security requirements.

The Exchange Transaction is being undertaken pursuant to 40 U. S. C. 581(c). This Exchange Transaction will allow the Government to leverage a portion of the Property in exchange for services that will support the design and construction of the New Facility. The Exchange Transaction supports the Government's goals to:

- Comply with the Presidential Memorandum entitled Disposing of Unneeded Federal Real Estate, 75 Fed. Reg. 33987 (June 16, 2010);
- Leverage the value of real property assets to provide more efficient, sustainable Federal facilities that will better enable Federal agencies to achieve their missions; and
- Obtain best value for the Government, through an open, public competition.

## II. PROJECT DESCRIPTION

The Exchange Transaction will include Exchange Consideration Services to design and construct a New Facility on a retained portion of the Property, in exchange for fee simple title to the remainder of the Property (Exchange Parcel). If there is additional value from the Exchange Parcel that exceeds the Exchange Consideration Services, the Government will seek to equalize value. Upon completion and Government acceptance of the Exchange Consideration Services, GSA will convey the Exchange Parcel to the Exchange Partner. The Government may consider allowing the Exchange Partner to access the Exchange Parcel earlier in the process if the Government's risks are sufficiently mitigated and access does not impact the Volpe Center's ongoing operations.

Solicitation and award to an Exchange Partner will consist of two phases:

Phase I - Request for Qualifications

Phase II - Request for Proposals

The Phase II RFP will contain a detailed Scope of Work, including the DOT POR, pertaining to the Exchange Consideration Services and additional information on the Property.

### **Exchange Consideration Services**

The mission of the Volpe Center is to improve the nation's transportation system by anticipating emerging issues and advancing technical, operational, and institutional innovations. The Volpe Center is currently housed in aging buildings and facilities that are in need of replacement to better accommodate the research mission. The New Facility will enhance DOT's transportation research capabilities and reduce the Government's life-cycle costs of ownership. Absent the appropriated funds to pay for the construction of a New Facility, the intent of the Exchange Transaction is to exchange the remainder of the Property for a New Facility on a retained portion of the Property. Once the New Facility is completed, the federal government will convey the Exchange Parcel to the Exchange Partner.

The Exchange Transaction calls for the design and construction of a new approximately 390,000 gross square feet (GSF) federal facility on a retained portion of the Property. Further information about the Property, including a legal description, will be provided in the Phase II RFP.

The New Facility will include offices; laboratory spaces; public access spaces to showcase the work of the Volpe Center; and parking as appropriate to house up to 1,300 personnel. A more detailed description will be provided with the Phase II RFP, which will include the POR.

The Exchange Transaction requires the performance of architect/engineer (AE) services, commissioning, and construction services. In addition, the scope of professional services will require at a minimum: Professional architectural, landscape architectural, engineering, interior design, space planning, High Performance Green Building (HPGB) consulting service, and related consulting services for concept design documents, design development documents, and construction documents (drawings and specifications), Building Information Modeling (BIM), construction documents, cost estimates, schedules, value engineering services, construction management services, LEED-AP services, and computer-aided design and drafting (CADD). There will be a formal partnering process throughout the design and construction phases to promote collaborative project development.

## **The Property and Exchange Parcel**

The Property is located at 55 Broadway in the Kendall Square neighborhood of Cambridge, Massachusetts. It comprises approximately 14 acres of land and houses the Volpe Center in six (6) buildings with a total approximate gross floor area of 375,000 GSF. The Property also contains two (2) surface parking lots and open, landscaped land. The Property has extensive frontage along Binney Street to the north, Third Street to the east and Broadway to the south. A pedestrian walkway directly abuts the western boundary of the Property. The Exchange Parcel will comprise the portion of the Property not utilized for the New Facility.

In 1964, the Cambridge Redevelopment Authority (CRA) began an urban renewal project known as the Kendall Square Urban Renewal Project (Mass. R-107). As a part of this renewal project, the CRA prepared and adopted an urban renewal plan providing for the clearance, redevelopment and future uses of the urban renewal area designated for the project. A large portion of the urban renewal area was designated for use by the National Aeronautics and Space Administration (NASA) for the construction of an Electronics Research Center. In December 1969, NASA abandoned the project and its plans for an Electronic Research Center. NASA's interest in the site, however, was transferred to DOT for a transportation systems center effective July 1, 1970. The Volpe Center has occupied the Property since that time. The Property has been well-maintained, although the buildings and infrastructure are in need of modernization.

The Property lies within an area of the City of Cambridge (the City) rezoned in 2001 with both base district zoning and overlay district zoning.

In 2013, the City completed a comprehensive planning study named the Kendall Square Central Square Planning Study (K2C2 Study). The purpose of the study was to develop a vision for Central Square, Kendall Square, and the area South of Main Street that connects the two squares. The Kendall Square Final Report and the Kendall Square Design Guidelines can be found on the following City of Cambridge website: <http://www.cambridgema.gov/cdd/projects/planning/k2c2.aspx>.

As a result of the study, the City is currently evaluating a Rezoning Proposal for the Planned Urban Development – Kendall Square overlay district. Documentation concerning this proposal and presentations that have occurred on it can be found on the following City website: <http://www.cambridgema.gov/CDD/zoninganddevelopment/Zoning/Amendments.aspx>. GSA makes no representations with regard to zoning. Respondents should verify the present zoning and determine the permitted uses for any proposed future development.

## **Project Goals and Objectives**

The Phase II RFP, including the base building specifications and POR, will establish the requirements for the New Facility. They shall be implemented in a way that achieves the goals and objectives of the Exchange Transaction. The goals and objectives are provided to guide Respondents in responding to the RFQ.

The design and construction of the New Facility shall meet requirements of the *Federal Standards for the Public Buildings Service* (P-100), which establishes criteria for new construction, design standards for secure facilities and DOT/Volpe Center tenant requirements. The design and construction shall address and balance the following Project Goals and Objectives:

- **Building Envelope Design** – The building envelope shall be designed to optimize performance as it relates to energy, day-lighting, security, and extreme weather events.

- **Building Typology and Architecture** – The facility shall reflect the dignity, enterprise, vigor and stability of the Federal Government, emphasizing designs that embody the finest contemporary architectural innovations.
- **Climate Adaptation and Resiliency** – The design team shall address the risks of rising sea levels and extreme weather events. Consider principles of resiliency, energy and water surety, and future changes to climate in the design of the site and buildings that, in the event of extreme weather conditions and/or other extreme events, will result in minimizing disruption to the mission and the safety of its occupants.
- **Comfort, Safety and Health** – The Respondent shall provide a clean, healthy workplace environment, free of harmful contaminants and excessive noise, with access to quality air, light, and water. Provide a workplace that allows occupants to adjust lighting, acoustic, and furnishing systems to meet personal and group comfort levels.
- **Energy and Resources** – The design shall minimize the impact on the environment during construction and for the life of the building. Consider operational requirements and reduction of carbon footprint, and incorporate principles of sustainability, net-zero energy, and life cycle costing. The design and construction team should incorporate Low Impact Development (LID) strategies and strive to achieve a net zero building design. (Note that the project is required to achieve a minimum of LEED® Gold.)
- **Flexibility** – The workplace layout and the technology infrastructure should embrace planning concepts that will allow for flexible floor arrangements. Flexible design, including building systems, shall also allow the rest of the facility to function while spaces are being reconfigured.
- **Good Neighbor Policy and Urban Design** – The design shall consider the neighborhood scale and context, the citywide planning initiatives of the City of Cambridge, and the promotion of public space. The design shall utilize the site characteristics, minimize conflicts between vehicles and pedestrians, and utilize landscape to unify the program, address site security, and the facility's integration in the community.
- **Locally Sourced Materials and Services** – The team is to consider use of locally manufactured and sourced materials and the use of local trades and services.
- **Procurement** – The team is to consider utilization of small and minority owned businesses and disadvantaged veteran owned businesses.
- **Workplace Environment** – The design team is to create a state of the art workplace environment that supports the mission of the Volpe Center through the implementation of best practices, resulting in workspaces that promote agility, flexibility, collaboration, communications, well-being, and productivity.

### III. SELECTION PROCESS

This is a RFQ for Respondents interested in entering into an Exchange Agreement with GSA to provide Exchange Consideration Services that support the agency's mission to provide a cost-effective and efficient New Facility for the Volpe Center in exchange for fee simple title to the Exchange Parcel, in accordance with 40 U. S. C. 581(c). For this solicitation "Respondent" refers to a public or private organization or company, association, joint venture partnership, or other entity that will commit to perform all required Exchange Consideration Services in consideration for the Exchange Parcel. If ultimately selected pursuant to a subsequently issued Phase II RFP, the Respondent will enter into an Exchange Agreement to effectuate the Exchange Transaction.

**This RFQ represents Phase I of a two-phase solicitation process. Based on a review of qualifications in this phase of the solicitation process, the Government will select qualified Respondents who will be invited to participate in the Phase II, RFP. In Phase II of the solicitation process, Respondents deemed qualified in Phase I will be asked to submit proposals including information related to the Exchange Consideration Services that would be provided in exchange for the Exchange Parcel. Participation in both Phases I and II is a mandatory requirement in order to be ultimately considered as the Exchange Partner. Respondent team members (including both firms and key personnel) evaluated in Phase I may only be replaced in Phase II or thereafter with GSA's express written approval, subject to its sole discretion. GSA reserves the right to eliminate a Respondent from the Phase II competition if one or more of its evaluated Phase I team members do not participate in Phase II.**

Phase I Respondents are required to meet a number of initial mandatory requirements; those who meet these requirements will then be evaluated based upon the below two (2) evaluation factors. Evaluation of the evaluation factors will be solely on a "go", "no-go" basis. Only those Respondents who both meet the initial mandatory requirements and who receive a "go" rating on all evaluation factors under Phase I will be invited to participate in the Phase II RFP process.

Those Respondents invited to participate in the Phase II RFP will be provided with the following information (subject to change) in the RFP:

- 1) Model Exchange Agreement
- 2) Site Information (ALTA Survey, Phase I Environmental Site Assessment, etc.)
- 3) Performance-based specifications and technical requirements for the New Facility
- 4) Volpe Center Program of Requirements
- 5) Detailed Phase II Evaluation Criteria
- 6) Administrative and contractual requirements, including Terms and Conditions

Throughout this solicitation process, GSA will not reimburse respondents for travel, or costs associated with the development and submission of any items required under this solicitation.

**Organizational Conflicts of Interest:** Certain firms may be ineligible to participate in this opportunity due to organizational conflicts of interest of varying types. If the Respondent is an ineligible firm, or includes an ineligible firm within its team, the Respondent is hereby notified that GSA will not execute an Exchange Agreement with that Respondent until such time as the organizational conflict of interest is fully mitigated, neutralized, or waived to the full satisfaction and at the sole discretion of GSA.

## **Phase I RFQ – Mandatory Requirements**

The following are mandatory requirements. Respondents not meeting all of the mandatory requirements will be eliminated from further consideration under Phase I. The Contracting Officer (CO), in consultation with the Source Selection Authority (SSA) will make this initial determination and submit all acceptable offers to the Source Selection Evaluation Board (SSEB) for full evaluation.

- 1) Respondent provides a written commitment to maintain the evaluated Team (including firms and individuals) intact through the entire Exchange Consideration Services phase;
- 2) Respondent provides a written commitment that design drawings and/or construction documents will be prepared by registered professional architects and engineers; and
- 3) Respondent provides a written description of any completed or pending criminal or civil investigations or proceedings against the Respondent or any of its principals, partners, co-venturers or affiliates, and any action or proceeding alleging fraud or other operating irregularities by the Respondent or any of its principals, partners, co-venturers or affiliates. If none exist, Respondent shall affirmatively state.

## **Phase I RFQ – Evaluation Factors**

Under Phase I, evaluation factors will be evaluated on a “go,” “no-go” basis only. Phase I is a prerequisite requirement for Phase II. Only those Respondents who receive a “go” rating on all evaluation factors under Phase I will be invited to participate in the Phase II RFP process.

All references required by this RFQ shall be in letter format and must include the following information:

- 1) Referenced firm name;
- 2) Point of contact at referenced firm;
- 3) Point of contact's position at referenced firm;
- 4) Referenced project name;
- 5) Address of referenced firm;
- 6) Telephone number of referenced firm and point of contact;
- 7) Email address of referenced firm and point of contact.

The Respondent is responsible to ensure that contact information is current and reliable. GSA will consider information provided by reference as well as other relevant information from other sources when evaluating the Respondent's qualifications. If negative information is received from sources not noted in the Respondent's submission, the Respondent will be given an opportunity to respond.

It is the responsibility of the Respondent to ensure that the references provided are willing and available to be contacted by GSA. No substitutes will be allowed. If, after repeated attempts (three), GSA is unable to contact a reference provided by the Respondent, the specific information related to the reference may be excluded from evaluation.

## **Factor 1: Exchange Partner Qualifications**

### Corporate Qualifications

This sub-factor considers the extent of the Respondent's corporate qualifications to develop both the New Facility and the entire Exchange Parcel. It includes the Respondent's proposed organization and management structure, as well as demonstration of experience with large scale (over 1 million gross square feet), mixed use urban developments.

Each Respondent shall provide the following:

- 1) An introduction briefly describing the firm and its location, firm background, organizational makeup, and noteworthy accomplishments.
- 2) Portfolio of past experience and services provided as well as technical resources and capacity to undertake a project of this magnitude.
- 3) Detailed organizational chart identifying key personnel for project and development team members, including Respondent's relationship to those team members, advisors, and other stakeholders.
- 4) Respondent's experience working with municipalities, communities, and local zoning and master plans.
- 5) Respondent's experience working with the federal government.
- 6) Respondent shall provide proof of communications with the City of Cambridge and demonstrate a strategy for involving the City of Cambridge and the current planning efforts of the City for the Property. The City of Cambridge has requested respondents contact the following individual:

Iram Farooq  
Acting Assistant City Manager for Community Development  
City of Cambridge Community Development Department  
344 Broadway, Cambridge, MA 02139  
ifarooq@cambridgema.gov  
t. 617.349.4606 f. 617.349.4669

#### Qualifications and Experience of Key Personnel

This sub-factor considers the qualifications and experience of the proposed staff, including the Principal in Charge and Senior Project Manager's experience directing similar project work. The Government will evaluate whether all key personnel identified have the qualifications and experience in all areas necessary to effectively perform the required work. Each Respondent shall submit resumes for each key person on the proposed Project Team as defined below:

- 1) Principal in Charge
- 2) Senior Project Manager
- 3) Other Key Team Members as identified by the Respondent

The Respondent shall also submit at a minimum two (2) references for each team member. References shall be from the Owners of projects previously completed.

#### Past Performance and Experience

This sub-factor considers the quality of the Respondent's past performance, within the last ten (10) years, in performing development contracts for design and construction with regards to considerations such as technical success, cost control, timeliness, and customer satisfaction. This factor also considers the quality of the Respondent's performance in carrying out the work required, specifically workforce management and scheduling. The Respondent shall demonstrate itself as a developer providing verifiable information and references for three (3) similarly scoped projects completed over the last ten (10) years. Projects offered should be of a similar size, scope and complexity to the New Facility.

In addition to the above, each Respondent shall provide narrative summaries of the above three (3) similar projects, completed within the past ten (10) years, demonstrating how they are similar in size, scope and complexity to the New Facility. Include for each project submitted, title and location, project summary including square feet, contract award amount and final contract amount including all changes,



dollar value of work self-performed and the percentage it represents of the final contract amount and project completion date. Interior and exterior photos are required for each project submitted. Limit the summaries to four (4) pages each.

For purposes of determining “similar size, scope and complexity” to the New Facility, the following factors will be considered:

- 1) Development of a new facility of approximately 390,000 GSF or more, with both offices and unique programmatic elements such as laboratories, cafeteria, auditorium, public spaces;
- 2) Development of a new facility in an urban context;
- 3) Design-Build or Turn-Key project;
- 4) Fixed-Price Incentive Delivery Method (e.g. CMc);
- 5) Third party green building certification standard such as LEED or the use of high performance green building strategies.

**Factor 1 Evaluation Standard:** The factor will be evaluated as a “go” if the Respondent demonstrates adequate corporate qualifications, provides all required resumes and references, adequately demonstrates qualifications of team members, and demonstrates satisfactory past performance for the development of three (3) completed projects within the past ten (10) years that are similar in size, scope and complexity to the New Facility. The Respondent shall also provide adequate evidence of communications with the City of Cambridge and a strategy for involving the City and the current citywide planning efforts for the Property.

The project team utilized by the Respondent shall, at a minimum, include a Principal-in-Charge and a Senior Project Manager, both of whom shall have actively and personally managed and completed at least three (3) projects within the past ten (10) years similar in size, scope and complexity to the New Facility.

The Principal-in-Charge must be a U.S. citizen and an officer and/or owner of the Respondent, with at least fifteen (15) years of experience in office and related development. The Principal-in-Charge must have the ability to make legal commitments on behalf of the Respondent and shall be responsible for coordinating all aspects of the Project Team. The Principal-in-Charge must be available and able to commit to the Project, if required by the government, up to 75 percent of a typical forty hour workweek between award and construction commencement, with continued involvement through to completion.

The Senior Project Manager must be a U.S. citizen and an officer and/or owner of the Respondent, with at least ten (10) years of experience in office and related development. The Senior Project Manager will be responsible for the day-to-day management of the Project Team from award through final acceptance of the New Facility by the Government.

## **Factor 2: Financial Qualifications**

The objective of this factor is to determine whether the Respondent’s financial wherewithal and current financial capacity are sufficient to successfully execute a project of this size and complexity. Respondents must demonstrate their past experience obtaining capital financing for projects of a similar size, scope, and complexity to the New Facility, the availability of readily accessible equity to get the project started, and creditworthiness. Each Respondent must demonstrate that they are capable of fully funding the design and construction of the New Facility, either directly or through a separate entity (i.e., a “Financial Partner”).

Each Respondent must include, as a component of its Project Team, an entity capable of fully funding the cost of this project (a "Financial Partner"). The Financial Partner can be the same as the Respondent or a separate entity.

The Financial Partner shall submit the following:

- 1) An introduction briefly describing the firm and its location, organizational makeup, and noteworthy accomplishments.
- 2) Documentation evidencing a minimum of \$500 million in liquid assets not committed to other projects and/or an in-place fund or credit facility with a minimum of \$500 million currently available.
- 3) Affirmative representation stating a willingness to fund \$15 million within five (5) business days after award of the Exchange Agreement.
- 4) If the Respondent and Financial Partner are different firms, then a description of no more than two (2) pages of the proposed business terms of the relationship between the companies.
- 5) Documentation of at least three (3) and no more than five (5) real estate projects funded over the past ten (10) years of similar size, scope and complexity to the New Facility. Documentation should include a narrative (maximum of two pages per project) describing the developer partner; square footage, product type, and location of project; dollar amount and percentage of total project cost funded; funding mechanism (debt or equity and details of structure); and significant financial challenges that were overcome.
- 6) Describe the Financial Partner's experience working with the Respondent on completed projects and briefly describe the projects and the Financial Partner and the Respondent's roles in each one.

The Financial Partner shall include two (2) references for each of the projects submitted. References shall be principals or officers of project owners and principals or officers of project lead tenants, if such tenants participated in project design and occupy at least 75% of the project. The references must be able to provide first-hand information concerning the Financial Partner's role in the successful completion of the project.

**Factor 2 Evaluation Standard:** The factor will be evaluated a "go" if the Respondent demonstrates the financial resources detailed above and provides the required information, documentation and affirmations as required.

The Respondent must include an entity or fund with a minimum of \$500 million in liquid assets not committed to other projects or have an in-place fund or credit facility with a minimum of \$500 million available as evidenced by audited financial statements, confirmation of credit facilities from lenders, or other documentation acceptable to the Government at its sole discretion. Formal partnership or joint venture agreements are not required for the Phase I evaluation if the Respondent and Financial Partner are different firms, but will be required should a Respondent proceed to the Phase II RFP. Commitment letters or other expressions of interest from lenders or equity providers not intended to be a part of the Respondent's team will not satisfy this minimum requirement.

The Respondent must also provide an affirmative representation from the Financial Partner stating its willingness to fund \$15 million within five (5) business days after award of the Exchange Agreement of the successful Respondent at the conclusion of Phase II. The Phase II RFP will provide additional information on how these funds may be used.

#### IV. QUALIFICATIONS CONTENT AND FORMAT INSTRUCTIONS

**Qualifications Submitted in Response to this RFQ are due on August 31, 2015 at 3:00 pm local time.**

Respondents shall submit one (1) original and seven (7) hard copies and an identical electronic PDF version of their qualifications by no later than the date and time listed above. Email submissions will not be accepted.

The external cover of each qualifications package must include the Respondent's Name and Address, Solicitation Number and Title, Due Date, and Closing Time, and be submitted to:

Kathryn Thomas  
Contracting Officer  
GSA PBS Region 1  
10 Causeway Street, Suite 1100  
Boston, MA 02222  
(617) 565-8826 (O)  
(857) 276-5960 (C)

Phase I submissions shall be tabbed and organized into the following sections, with associated page limitations:

Tab 1: Executive Summary – 2 pages maximum

Tab 2: Mandatory Requirements – 2 pages maximum

Tab 3: Exchange Partner Qualifications (Factor 1) – 15 pages maximum (excluding key personnel resumes and past experience)

Tab 4: Financial Qualifications (Factor 2) – 10 pages maximum

In its Phase I submission, the Respondent shall provide all information necessary or appropriate to reflect compliance with the Phase I requirements, all of which shall be certified within the Executive Summary to GSA by the Respondent and the Respondent's individual Principal-in-Charge to be true and complete in all respects. The submission should be organized in precisely the order and format requested. Submissions that do not follow these Instructions, or otherwise include documentation that is difficult to read, may result in Phase I disqualification.

Qualifications shall be submitted in the following format:

- 1) Pages shall be 8-1/2x11 inch white paper, 1/2-inch margins on the top and bottom of the pages and 1-inch margins on the left and right sides of the pages, with lettered/numbered dividers for each section to correspond with the Tabs above. Double sided pages should be used.
- 2) All text shall be in a standard font of twelve (12) points in height, single-spaced.
- 3) Qualifications submissions must include one (1) original clearly marked, and four (4) copies, contained in 3-ring binders or "GBC" bound. An electronic version is also required to be submitted in PDF format on CD rom.
- 4) The information provided in the submission shall be easily reproducible by normal black and white photocopying machines.
- 5) All signatures on all documents, originals and copies, must be original signatures in ink and in a color other than black.
- 6) Materials submitted become the property of the Government and shall not be returned.

All Phase I development and RFQ preparation costs shall be borne by the Respondents without reimbursement from the Federal Government.

**Requests for Clarification or Interpretation**

Requests for Clarification or Interpretation of the RFQ shall be submitted within twenty (20) calendar days of the RFQ issuance and no later than 3:00 PM local time on August 5, 2015. Further requests may not be accepted beyond the established deadline. Requests for clarification or interpretation shall be sent via email to Kathryn Thomas, Contracting Officer, at [kathryn.thomas@gsa.gov](mailto:kathryn.thomas@gsa.gov) with copies to Mark Rinaldi, Contract Specialist, at [mark.rinaldi@gsa.gov](mailto:mark.rinaldi@gsa.gov). Each request should clearly reference the applicable page, section and paragraph of the RFQ.

**Notification of Phase I Qualification and Selection**

Upon completion of the Phase I evaluation and selection process, those Respondents whose qualifications meet all mandatory requirements and were rated "Go" on all evaluation factors will be notified that they will receive the Phase II RFP. Unsuccessful Respondents will also be notified. Only those Respondents selected to participate in Phase II will be sent a Phase II Solicitation. Phase II proposals will not be accepted from Respondents that are not invited to submit a proposal.

## V. GENERAL PROVISIONS, STATEMENT OF LIMITATIONS

- A. This RFQ, submissions from Respondents to this RFQ, and any relationship between GSA and Respondents arising from or connected or related to this RFQ, are subject to the specific limitations and representations expressed below, as well as the terms contained elsewhere in this RFQ. By participating in the selection process, Respondents are deemed to accept and agree to this Statement of Limitations. By submitting a response to this RFQ, the Respondent acknowledges and accepts GSA's rights as set forth in the RFQ, including this Statement of Limitations and any Appendices. RFQ means all the documents included herein, including any Appendices, Exhibits and drawings.
- B. GSA reserves the right, in its sole discretion, without liability, to accept or reject any or all of the RFQ responses, and to develop and operate the Exchange Parcel(s), in whole or in part, outside this selection process. This RFQ shall not be construed in any manner to create an obligation on the part of GSA to enter into any agreement, nor to implement any of the actions contemplated herein, nor to serve as the basis for any claim whatsoever for reimbursement of costs for efforts expended in preparing a response to the RFQ or participating in the selection process.
- C. In selecting qualified Respondents to proceed to the Phase II RFP, GSA will exercise its best professional and business judgment and ensure the integrity of the selection process. GSA reserves the right to exercise fully its discretion in interpreting and applying the selection criteria and in making its selection.
- D. GSA reserves the right in its sole discretion to hold discussions with, to obtain information from, to request presentations from, and to conduct negotiations with, any or all Respondents that GSA deems appropriate in its sole discretion. GSA reserves the right, as it deems its interests may require in its sole discretion, to accept or reject any or all submissions, to waive any informality, informalities or nonconformity in the submissions received, and to accept or reject any or all items in a submission.
- E. Failure to respond to any of the items required by this RFQ could result in an Respondent's RFQ response being rejected. In any and all events, GSA shall not be liable for any costs associated with the preparation, clarification, or negotiation of responses to this RFQ.
- F. GSA makes no representations or warranties whatsoever with respect to this RFQ or the site including, without limitation, representations and warranties as to the accuracy of any information or assumptions contained in this RFQ or otherwise furnished to Respondents by GSA; the use or progress of the development of the site, or any portion thereof; site and environmental conditions on the site; or the suitability of the site or any portion thereof for any specific uses or development. Respondents shall make their own analysis and evaluation of all aspects of the site, including without limitation, the income potential, profit potential, expenses and costs of development of the site. Respondents shall not rely upon any statement or information given the Respondents by GSA including, without limitation, any information contained in or supplied in connection with this RFQ including information available at [www.fbo.gov](http://www.fbo.gov). Respondents should review this website prior to submitting a proposal to ensure they have reviewed all information for revisions, modifications and additions. GSA does not make and hereby disclaims any representation, warranty or other statement regarding the accuracy, sufficiency, or correctness of any such information, including illustrations provided in Exhibits, acreage and square footage, references and due diligence information provided and hereby advises all prospective Respondents to obtain, examine, and independently verify all such information to the extent that they deem necessary or desirable for their purposes. GSA does not accept, and hereby

disclaims, any liability to any person or entity as a result of the information provided by GSA, whether or not such person or entity does or does not submit a response to this RFQ.

- G. GSA disclaims any liability for any damage to reputation or interference with ongoing negotiations or contracts, or any other liability whatsoever, based on the selection process pursuant to this RFQ, GSA's investigation of the experience and qualifications of any Respondent, and GSA's discussions, dealings, or negotiations with one or more of the Respondents, or the termination of any such discussions or negotiations. By submitting responses to the RFQ, each Respondent hereby irrevocably acknowledges, accepts and agrees to the disclaimers of liability set forth above.
- H. Compliance with GSA's requirements for the site should not be construed to mean compliance with requirements of other governmental authorities. Any project resulting from this selection process must be in compliance with all applicable Federal, state and local laws, statutes, ordinances, and regulations, including environmental and historic preservation requirements.
- I. GSA makes no representations regarding the character or extent of soil or other subsurface conditions, utilities or hidden conditions that may be encountered during the course of construction. Each Respondent must make its own conclusions concerning subsurface and other hidden or latent conditions that may affect the methods or costs of construction and redevelopment. GSA makes no representation or warranty concerning the truth, accuracy or completeness of environmental information provided about the site.
- J. The requirements and prohibitions of 18 U.S.C. § 201, "Bribery of public officials and witnesses" and 31 U.S.C. § 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions" are applicable to the selection process.
- K. GSA reserves the right to retain all the materials and information, and the ideas, suggestions therein, submitted in response to this RFQ. By submitting a response to this RFQ, the Respondent acknowledges, accepts, and agrees that all such materials, information, ideas and suggestions retained shall become the property of GSA.
- L. GSA reserves the right to: (a) modify, and/or suspend any and all aspects of this RFQ; (b) request additional information; and (c) waive any defects as to form or content of this RFQ or any responses submitted thereto.
- M. No claims for broker's fees will be paid by GSA. Each Respondent shall indemnify, defend and hold GSA harmless from and against all claims, liabilities, and costs arising from any claim for brokerage commissions, finder's fees, or other remuneration based in whole, or in part, on the submission of a response to this RFQ, any negotiations in connection with or related to this RFQ, or the execution of a lease, agreement, or other contract arising out of or in connection with this RFQ.
- N. Respondents submitting business information pursuant to this selection process should consult 41 C.F.R. Part 105-60 and other implementing regulations concerning the release of such information to third parties pursuant to the Freedom of Information Act ("FOIA"). All information submitted by Respondents that they consider confidential and not releasable to third parties outside of GSA, and its employees, agents, consultants and representatives must be clearly and conspicuously so marked.
- O. GSA may disclose submissions received in response to the RFQ to non-governmental evaluators. Each non-governmental evaluator will sign and provide forms to GSA entitled

"Conflict of Interest Acknowledgment and Nondisclosure Agreement" and "Receipt of Sensitive Information."

P. SECURITY AND SENSITIVE BUT UNCLASSIFIED INFORMATION

- a. Additional requirements will be provided to the Respondents advancing to the Phase II RFP.
- b. The Public Building Service (PBS) of the GSA has set forth policy on the dissemination of sensitive but unclassified (SBU) paper and electronic building information for GSA's controlled space, including owned, leased, and delegated federal facilities. The PBS Order number is PBS 3490.1 and it is dated March 8, 2002. A major goal of GSA and the Federal Government is the safety and security of people and facilities under the charge and control of GSA. The order outlines the PBS security procedures needed to reduce the risk that building information will be used for dangerous or illegal purposes.
- c. GSA Associates and GSA contractors handling the SBU documents shall use reasonable care for dissemination of information. It is the responsibility of the person or firm disseminating the information to confirm the recipient is an authorized user and to keep logs of recipients.
- d. For the length of the contract or project, each contractor, subcontractor, supplier, or design consultant shall appoint a point of contact to be responsible for the security of SBU documents and to complete the Form B.
- e. During the Exchange Consideration Services, the contractor shall obtain a Form B from all subcontractors and suppliers to whom they will be releasing any SBU documentation that have not previously completed Form B. They shall obtain the Form and immediately forward to GSA. Requests for SBU information from GSA client agencies shall be referred to the GSA Contracting Officer.
- f. When the Exchange Partner has completed the Exchange Consideration Services, the Exchange Partner shall provide a written statement on behalf of the firm and all subcontractors and suppliers that the Exchange partner and all subcontractors and suppliers have properly disposed of the Sensitive But Unclassified building documents. Documents no longer needed shall be destroyed. Destruction shall be done by either burning or shredding hard copy and/or physically destroying CD's, deleting and removing files from electronic recycling bins, and removing material from computer hard drives using a permanent erase utility or similar software.
- g. Failure by the Exchange Partner to provide these statements in a reasonable timeframe may result in suspension of rental payments if a lease is in place.